

12-15-04

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/667,777
Filing Date	09/22/2003
First Named Inventor	Chemisky et al.
Group Art Unit	2834
Examiner Name	Budd, Mark Osborne
Attorney Docket Number	071308.0474

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- | | | |
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| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input type="checkbox"/> Other Enclosure(s) (please identify below): |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP	
Signature		Att Name: Bruce W. Slayden II PTO Reg: 33,790
Date	12/14/2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313 on: 12/14/2004

Typed or printed name	Angela Lodging	Date	12/14/2004
Signature			

FEE TRANSMITTAL

for FY 2004

Patent fees are subject to annual revision.

AMOUNT OF PAYMENT

(\$ 700

Complete if Known

Application Number	10/667,777
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METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
NumberDeposit
Account
Name

Baker Botts LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee (\$)	Fee (\$)	Fee Description	Fee Paid
300	150	Utility filing fee	
200	100	Design filing fee	
200	100	Plant filing fee	
300	150	Reissue filing fee	
200	100	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
22	20	2 x 50 = 100	
6	3	3 x 200 = 600	
Multiple Dependent			

Large Entity Small Entity

Fee (\$)	Fee (\$)	Fee Description
50	25	Claims in excess of 20
200	100	Independent claims in excess of 3
360	180	Multiple dependent claim, if not paid
200	100	** Reissue independent claims over original patent
50	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 700

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
500	250	Petition to revive - unavoidable	
1,500	750	Petition to revive - unintentional	
1,400	700	Utility issue fee (or reissue)	
800	400	Design issue fee	
1,000	550	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
790	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
790	395	For each additional invention to be examined (37 CFR § 1.129(b))	
790	395	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

SUBMITTED BY

Name (Print/Type)

Bruce W. Slayden II

Registration No.
(Attorney/Agent)

33,790

Complete (if applicable)

Telephone

512.322.2606

Signature

Date

12/14/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

ATTORNEY DOCKET
071308.0474

PATENT APPLICATION
10/667,777

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eric Chemisky et al.

Serial No.:

10/667,777

Date Filed:

September 22, 2003

Group Art Unit:

2834

Examiner:

Budd, Mark Osborne

Title:

DEVICE TO CONTROL A PIEZOELECTRIC
ACTUATOR

MAIL STOP – AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV351285092US addressed to: Mail Stop – Amendment, Commissioner of Patents, Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Angela Loding

December 14, 2004

Date

Dear Sir:

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed October 4, 2004, Applicants respectfully submit the following amendments set forth below and request favorable action thereon.

Amendments to the Specification begin on page 2 of this paper.

Amendments to Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.

12/16/2004 NNGUYEN1 00000070 10667777

01 EC:1201
02 FC:1202

600.00 OP
100.00 OP